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GAMBLING COMMISSION  
COMM & LEGAL DIVISION

STATE OF WASHINGTON  
GAMBLING COMMISSION

OTC

In the Matter of the Suspension of the License to  
Conduct Gambling Activities of:

Andrographics  
Puyallup, Washington,

Licensee.

) NO. CR 2011-00741

) SETTLEMENT ORDER

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GAMBLING COMMISSION  
COMM & LEGAL DEPT

This Settlement Order is entered into between the Washington State Gambling Commission and Andrographics, licensee. Brian J. Considine, Assistant Attorney General, and Melinda Froud, Lead Staff Attorney, represent the Gambling Commission. Scott Bryson, owner, represents Andrographics.

I.

The Washington State Gambling Commission issued Andrographics license number 21-00246, authorizing Distributor<sup>1</sup> activity. The license expires on December 31, 2011, and was issued subject to the licensee's compliance with state gambling laws and regulations.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, Chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

II.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on July 18, 2011. The licensee received the Notice, and on July 20, 2011, Commission staff received the licensee's request for hearing.

III.

The following summary of facts and violations were alleged in the Notice of Administrative Charges:

In May 2008 and April 2009, the licensee bought electronic devices for reading and displaying outcomes of Roulette games (gambling equipment) from a seller (Cammegh) that did not possess a valid gambling license, in violation of WAC 230-06-110(3). Therefore, under RCW 9.46.075(1) and WAC 230-03-085(1) grounds exist to suspend Andrographics' distributor license.

<sup>1</sup> WAC 230-03-190 Applying for a distributor license. You must apply for a distributor license if you: (1) Buy or otherwise obtain a finished piece of gambling equipment for use in authorized gambling activities from another person and sell or provide that gambling equipment to a third person for resale, display, or use.

**RCW 9.46.075 Denying, suspending, or revoking a license or permit**

The Commission may suspend or revoke any license issued by it, for any reason, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

(The following subsection applies.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

**WAC 230-03-085 Denying, suspending, or revoking a license or permit**

We may suspend or revoke any license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsection applies.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

**WAC 230-06-110 Buying, selling, or transferring gambling equipment.**

(The following subsection applies.)

(3) Before purchasing gambling equipment, licensees must ensure that the seller possesses a valid gambling license.

**WAC 230-03-200 Defining "gambling equipment."**

"Gambling equipment" means any device, gambling-related software, expendable supply, or any other paraphernalia used as a part of gambling or to make gambling possible.

(4) Electronic devices for conducting, facilitating, or accounting for the results of gambling activities, including, but not limited to: (b) Electronic devices for reading and displaying outcomes of gambling activities

**IV.**

Andrographics requested a hearing in this matter, but prior to a hearing, the licensee waived its right to a hearing, based on the terms and conditions of this Settlement Order.

1) The licensee agrees that Andrographics' license is hereby suspended for a period of **seven (7) days**, provided that all days are deferred for a period of one (1) year from the date of entry of this Settlement, subject to the following: The licensee must not violate Washington's gambling statutes or regulations during the one (1) year term. If the licensee violates such statutes or regulations and if the violation is the type that warrants the filing of administrative or criminal charges, then the Director may impose the 7-day suspension of the current gambling license and any subsequently acquired gambling licenses.

SEP 01 2011

2) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this Settlement, has sole discretion to determine whether the licensee has violated any term of this Settlement. In the event the Director determines a violation has occurred, he may suspend the license(s) issued to Andrographics, by mailing or delivering a Notice of Order of Administrative Charges to the licensee. In addition to the consequences of the new violation, all or part of the deferred sentence shall also be served. The licensee shall be afforded the opportunity to have an Adjudicative Proceeding, which includes a hearing on the alleged violations.

3) The applicant agrees to pay a penalty of **five thousand dollars (\$5,000)**, which includes the Commission's investigative and administrative costs.

4) **The signed order and payment must be received by Commission staff on or before Friday, September 9, 2011, and** mailed to Commission Headquarters at the following address:

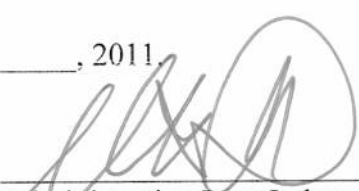
Washington State Gambling Commission  
Attention: Communications and Legal Division  
P.O. Box 42400  
Olympia, WA 98504-2400

or delivered (in person or via private courier) to the following address:

Washington State Gambling Commission  
Attention: Communications and Legal Division  
4565 7<sup>th</sup> Avenue SE; Fourth Floor  
Lacey, WA 98503

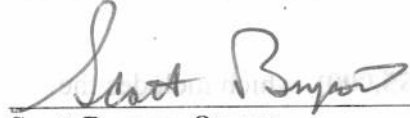
4) If the licensee makes its payment as agreed, this matter will be deemed closed. However, if the licensee fails to timely make its payment, the Director may impose an additional **two (2)** day suspension for the late payment. Serving the suspension would not, however, relieve the licensee of its obligation to pay its fine.

DATED this 29<sup>th</sup> day of September, 2011.

  
\_\_\_\_\_  
Administrative Law Judge

By his signature, the Licensee  
Understands and accepts the terms  
And conditions of this Order

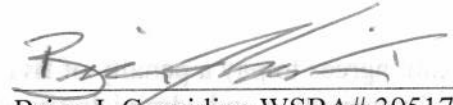
APPROVED FOR ENTRY:

 9/1/11

Scott Bryson, Owner  
Andrographics

(Date)

APPROVED AS TO FORM:



Brian J. Considine WSBA# 39517  
Assistant Attorney General  
Representing the Washington State  
Gambling Commission



Melinda Froud, WSBA #26792  
Lead Staff Attorney  
Washington State Gambling Commission